

**OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
Northern District of California**

CIVIL MINUTES

Date: April 15, 2021

Time: 10:44 – 10:49 =
5 Minutes

Judge: EDWARD M. CHEN

Case No.: [19-cv-00871-EMC](#)
[19-cv-03807-EMC](#)

Case Name: Asbestos Disease Awareness Organization v. Wheeler
St. of CA v. U.S. EPA, et al

Attorneys for Plaintiff: Robert Sussman, Andrew Goldberg

Attorneys for Defendant: Debra Carfora, Brandon Adkins

Deputy Clerk: Angella Meuleman

Court Reporter: Jo Ann Bryce

PROCEEDINGS HELD BY ZOOM WEBINAR

Status Conference re: [62][74] Motion to Alter Judgment – held.

SUMMARY

Parties stated appearances.

Status re: settlement framework. Defendant states that parties have met over past 6 weeks and believe they have an agreement in principle to move forward for resolution which addresses everyone's concerns including the Court's concerns. Framework relies on two actions: 1) require the Court to amend order to track specific language of TSCA section 21(b)(4)(A) which parties agree establishes the Court's jurisdiction and authority requiring EPA to initiate a rule making proceeding; and 2) plaintiffs have agreed to move to amend complaint (subject to Court approval) to expressly route their APA claims and establish claims under above statute. Plaintiffs concurred.

Defendant stated everything should be completed within a week and will then be submitted to authorities for approval which should take another few weeks. Anticipates 4 weeks at the longest before filing dismissal documents on the record.

Court will review as soon as it is in receipt of documentation and congratulates the parties on a resolution.